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PART III—SECTION 4

Miscellaneous Notifications including Notifications, Orders, Advertisements and Notices issued by Statutory Bodies

STATE BANK OF INDIA

NOTICE

New Delhi 1, the 31st March 1958

No. 1/204—The following appointments on the Bank's staff are hereby notified:—

Shri S. R. Patni, Staff Assistant, held temporary charge of Nahan Branch from the commencement of business on the 12th February to the commencement of business on the 17th February 1958, vice Shri H. C. Pathak.

By Order,

J. S. MONGIA

Offg. Secretary and Treasurer

THE INSTITUTE OF CHARTERED ACCOUNTANTS OF INDIA

NOTIFICATIONS

New Delhi 1, the 2nd April 1958

No. 4-CA(1)/16/57-58—In pursuance of Regulation 12 of the Chartered Accountants Regulations, 1949, it is hereby notified that in exercise of the powers conferred by clause (a) of sub-Section (1) of Section 20 of the Chartered Accountants Act, 1949, the Council of the Institute of Chartered Accountants of India has removed from the Register of Members, with effect from the 31st day of March 1958, at his own request, the name of Mr. Norman Davidson Harris, Chairman, Imperial Chemical Industries (India) Private Ltd., I.C.I. House, 34, Chowringhee, P.O. Box 182, Calcutta 1 (Membership No. 1325).

E. V. SRINIVASAN
Secretary

New Delhi 1, the 3rd April 1958

No. 1-CA(5)/57—In exercise of the powers conferred by sub-section (1) of Section 30 of the Chartered Accountants Act, 1949, (Act XXXVIII of 1949), the Council of the Institute of Chartered Accountants of India has made the following amendments in the Chartered Accountants Regulations, 1949, the same having been previously published and approved by the Central Government as required by sub-section (3) of the said Section.

In the said Regulations:—

I. For the existing sub-regulation (3) of Regulation 47, substitute the following, namely:—

“(3) Every candidate for election shall pay a fee of Rs. 200 (Rupees two hundred only) which shall not be refundable in any circumstances except as hereinafter provided.

Provided that not more than one such payment need be made by any one candidate in respect of his candidature for any one election.

Provided further that in the event of his nomination not being accepted as valid as hereinafter provided, the

fee of Rs. 200 paid by him shall be refunded to him in full.”

II. Add the following sub-regulations (5), (6) and (7) to Regulation 47, namely:—

“(5) The Secretary shall scrutinize the nomination papers of all candidates other than those whose candidature has been withdrawn under sub-regulation (4) above, and shall endorse on each nomination paper his decisions accepting or rejecting it and if he rejects it, he shall record in writing a brief statement of his reasons for so rejecting it. The Secretary may refuse or reject any nomination if he is satisfied—

- that the candidate was ineligible to stand for elections;
- that the proposer or seconder was not qualified to subscribe to the nomination of the candidate in form ‘O’;
- that there has been failure to comply with any of the provisions of sub-regulations (2) and (3) above;
- that the signature of any candidate or of the proposer or seconder is not genuine or has been obtained by force or fraud; or
- that the candidate or the proposer or seconder has not paid any of the fees due and payable to the Council:

Provided that nothing contained in clause (b), (c), (d) or (e) of this sub-regulation shall be deemed to authorise the refusal or rejection of the nomination of any candidate on the ground of any irregularity in respect of a nomination of the candidate if he has been duly and validly nominated by means of another nomination in respect of which no irregularity has been committed.

Provided further that a candidate whose nomination has been refused or rejected by the Secretary shall have a right of appeal against the decision of the Secretary. Such appeals shall be submitted to the Council within 10 days of the date on which such rejection or refusal is communicated to him and the same shall be heard by a Committee appointed by the Council for this purpose consisting of three persons who need not necessarily be members of the Institute, to consider and dispose of such appeals. Members of the Institute appointed on the Committee shall not be chosen from the candidates standing for election. The Committee so appointed shall have powers to inspect any documents, examine any witnesses, record any evidence, receive affidavits, grant adjournments, and exercise such other powers as may be necessary for the efficient and faithful performance of the duties. The decision of the Committee shall be final.

(6) On completion of the scrutiny of nominations as provided under sub-regulation (5) above, the Secretary shall forthwith prepare lists of valid nominations for each constituency and cause such lists pertaining to a constituency to be sent by registered post to each candidate in that constituency whose nomination has been accepted as valid. The list to be posted shall contain the full names in alphabetical order and the addresses of the validly nominated candidates in a constituency.

(7) If a candidate dies or otherwise ceases to be a member before the date of the election but after the date fixed for the withdrawal of candidature under sub-regulation (4) above and his nomination is or has been accepted as valid the election in his constituency shall be conducted among the remaining candidates and no fresh proceedings with reference to the election of members in the constituency in which such member was a candidate shall be commenced."

III. For the existing regulation 47A, substitute the following, namely:—

"47A. Candidates deemed to be elected if their number is equal to or less than the number of persons to be elected:

If the number of candidates validly nominated in any constituency is equal to or less than the number of persons to be elected for such constituency, or if the number of candidates in a constituency becomes equal to or less than the number of persons to be elected for such constituency, by reason of death or cessation of membership of one or more candidates before the date of election, then such candidates shall be deemed to be elected and the Secretary shall declare all such candidates duly elected; and where the number of such candidates in that constituency is less than the number of persons to be elected for that constituency, the Secretary shall commence fresh proceedings for the election of the remaining number of members to be elected from that constituency."

IV. After Regulation 54, insert the following Regulation 54A, namely:—

"54A. Disciplinary action against member in connection with conduct of elections.

A member of the Institute shall be liable for disciplinary action by the Council if he adopts one or more of the following practices with regard to the election to the Council, namely:—

(1) Bribery, that is to say, any gift, offer or promise by a candidate or by any other person with the connivance of a candidate, of any gratification to a person whomsoever, with the object, directly or indirectly of inducing—

(a) a person to stand or not to stand as, or to withdraw from being a candidate at an election; or

(b) an Elector to vote or refrain from voting at an election or as a reward to—

(i) a person for having so stood or not stood, or for having withdrawn his candidature; or

(ii) an elector for having voted or refrained from voting.

Explanation—For the purposes of this clause the term "gratification" is not restricted to pecuniary gratifications or gratifications estimable in money, and it includes all forms of entertainment and all forms of employment for reward; but it does not include the payment of any expenses *bona fide* incurred at, or for the purpose of any election.

(2) Undue influence, that is to say, any direct or indirect interference or attempt to interfere on the part of a candidate or of any other person with the connivance of the candidate with the free exercise of any electoral right:

Provided that—

a declaration of policy or a promise of a particular action, or the mere exercise of a legal right without intent to interfere with an electoral right, shall not be deemed to be interference within the meaning of this clause.

(3) The publication by a candidate or by an other person with the connivance of the candidate, of any statement of fact which is false, and which he either believes to be false or does not believe to be true, in relation to the personal character or conduct of any candidate, or in relation to the candidature or withdrawal of any candidate, being a statement reasonably calculated to prejudice the prospects of that candidate's election.

(4) The obtaining or procuring or abetting or attempting to obtain or procure by a candidate or by any other person with the connivance of a candidate, any assistance for the furtherance of the prospects of the candidate's election from any person serving under the Government of India or the Government of any State other than the giving of vote by such person, if he is a member of the Institute entitled to vote.

(5) Any act specified in clauses (1) to (4) above, when done by a member of the Institute who is not a candidate or a member acting with the connivance of a candidate.

(6) The receipt of, or agreement to receive, any gratification whether as a motive or a reward—

(a) by a member for standing or not standing, as, or withdrawing from being, a candidate; or

(b) by any member whomsoever for himself or any other person for voting or refraining from voting, or for inducing or attempting to induce any elector to vote or refrain from voting, or any candidate to withdraw his candidature.

(7) Contravention or misuse of any of the provisions of this Chapter or making of any false statement knowing it to be false or without knowing it to be true while complying with any of the provisions of this Chapter.

S. VAIDYANATH AIYAR
President

LACCADIVE, MINICOY AND AMINDIVI ADMINISTRATION

NOTICE

It is hereby notified that the following articles of wreck stated to have been abandoned by a ship belonging to Greece near Suheli, an uninhabited islet about 30 miles off Kavarathy in the year 1955 are kept under the custody of the Administrator, Laccadive, Minicoy and Amindivi islands, Kozhikode. Any person claiming the same should notify the undersigned. If not claimed within 3 months from the date of notification, the articles will be sold in public auction and the proceeds credited to the Government.

| Particulars | No. |
|--|-----|
| 1. Lorry engine crank case with crank shafts (unservicable) and 6 connecting rods with 6 pistons | 1 |
| 2. Head cover (old) | 1 |
| 3. Motor (old) | 2 |
| 4. Tyres (old and worn out) | 2 |
| 5. Tyre rims (old) | 2 |
| 6. Radiator (old) | 1 |
| 7. Exhaust pipe (old) | 1 |
| 8. Air Valves (old) | 12 |
| 9. Tyres | 8 |
| 10. Tyres (5 in pairs and 2 singles) | 12 |
| 11. Tyres (double) | 10 |
| 12. Tyres (single) | 15 |
| 13. Boxes containing iron articles | 3 |
| 14. Drum containing iron articles | 1 |
| 15. Tarpaulin packet containing iron articles | 3 |
| 16. Bags containing iron articles | 7 |
| 17. Axles | 2 |
| 18. Packet of iron frames | 1 |
| 19. Packet of iron pipes | 1 |
| 20. Iron gas container | 1 |
| 21. Battery | 1 |
| 22. Iron piece with holes | 2 |
| 23. Tarpaulin | 2 |
| 24. Iron pieces in bags | 6 |
| 25. Flat iron piece in box without lid | 1 |
| 26. Two long iron pieces in one bundle | 1 |
| 27. Two long iron pieces in one bundle | 1 |
| 28. Iron wire bundle | 1 |
| 29. Tyre with tubes | 2 |
| 30. Tyre without tubes | 4 |
| 31. Iron pieces | 30 |
| 32. Tyres (worn out) | 6 |
| 33. Iron pieces (big) | 6 |
| 34. Iron pieces (small) | 4 |
| 35. Iron chain with 10 pieces and a hook | 1 |
| 36. Rubber piece | 1 |
| 37. Wooden pieces (Planks) | 55 |
| 38. Wooden pieces (small and big) | 8 |
| 39. Lorry seat | 3 |
| 40. Rims | 8 |
| 41. Iron plates | 2 |

S. MONI

Administrator and Receiver of Wrecks
Laccadive, Minicoy and Amindivi Islands